

LEGISLATIVE BILL 320

Approved by the Governor April 28, 1999

Introduced by Brashear, 4

AN ACT relating to the Administrative Procedure Act; to amend section 84-906.05, Reissue Revised Statutes of Nebraska; to provide for judicial notice as prescribed; and to repeal the original section.
Be it enacted by the people of the State of Nebraska,

Section 1. Section 84-906.05, Reissue Revised Statutes of Nebraska, is amended to read:

84-906.05. ~~The filing of any rule or regulation pursuant to the Administrative Procedure Act, if certified and filed with the Secretary of State, shall be received as prima facie evidence of the existence of such rule or regulation and that such rule or regulation is as described in the permanent file copy of the Secretary of State. Any rule or regulation so certified and filed shall be admitted into evidence without further foundation.~~ (1) Every court of this state may take judicial notice of any rule or regulation that is signed by the Governor and filed with the Secretary of State pursuant to section 84-906.

(2) The court may inform itself of such rules and regulations in such manner as it may deem proper, and the court may call upon counsel to aid it in obtaining such information.

Sec. 2. Original section 84-906.05, Reissue Revised Statutes of Nebraska, is repealed.